

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

**CEDRIC HOLMAN,**

Plaintiff,

V.

COCA-COLA ENTERPRISES INC., d/b/a  
CENTRAL STATES COCA-COLA  
BOTTLING COMPANY,

**Defendant.**

Case No. 4:05-CV-01032HEA

**Jury Trial Requested**

**AGREED PROTECTIVE ORDER**

The parties to this action have agreed to the entry of this protective order herein, and it is accordingly,

ORDERED that the confidentiality and proprietary nature of documents marked confidential and copied or produced from the personnel files of the current and former employees of Coca-Cola Enterprises Inc., d/b/a Central States Coca-Cola Bottling Company ("Defendant"), other than Plaintiff, shall be deemed confidential and protected and governed in accordance with this Order.

I. All ~~such~~ confidential information, including each and every portion thereof and any materials contained therein (hereinafter "Confidential Discovery Materials"), shall be used only for the purpose of this proceeding (Case No. 4:05-CV-1032-HEA) in the United States District Court for the Eastern District of Missouri and shall not be disclosed by a non-producing party to any person except:

- A. Plaintiff, parties and counsel of record for any party, including legal associates, legal assistants or paralegals, and the clerical staff of such counsel actually assisting in the preparation of this action;
  - B. Those directors, officers and employees of the parties, and other parties, witnesses and potential witnesses, with whom counsel determines it is necessary to confer in the preparation of this action;
  - C. Independent experts or consultants employed by the parties for the purpose of assisting the parties in this action;
  - D. Witnesses and court reporters at any deposition, pretrial hearing, trial or other proceedings held in connection with this action;
  - E. Any court, including this Court and/or jury, or appellate body which has cause to consider any of the issues raised in this action;
  - F. Any other person upon written consent from the party which produced or gave such Confidential Discovery Materials; and
  - G. Any other person or entity to whom this Court determines disclosure is appropriate.
- II. Any person receiving or reviewing Confidential Discovery Materials pursuant to any of the foregoing exceptions shall keep them separate and inaccessible and shall not reveal or discuss such materials to or with any person not entitled to disclosure as herein provided.
- III. In the event that any Confidential Discovery Materials are used in connection with depositions, interrogatories, requests for production, requests for admission, motions, or any other pretrial matter, the Confidential Discovery Materials, and any

testimony in connection therewith, shall be submitted, filed and maintained under seal by the court reporter, counsel for the parties, or Court clerk, as appropriate.

- IV. Plaintiff and counsel for Defendant shall confer prior to the trial or hearing of this action in an effort to agree upon a procedure to ensure the continuing confidentiality of Confidential Discovery Materials. In the event an agreement is not reached, however, the issue will be submitted to the Court by motion, upon notice to the parties or their counsel.
- V. Upon termination of this action, including any appeals, all copies of Confidential Discovery Materials and all extracts, analyses, summaries, memorializations or notes derived therefrom shall either be returned to the producing party or shall be destroyed by the party in possession of same with written confirmation that complete destruction has taken place.
- VI. Nothing herein shall affect or restrict the rights of any party with respect to its own documents.
- VII. By agreeing to this order, the parties shall not be deemed to have waived any objection available to them in response to any discovery.
- VIII. This order is without prejudice to the right of any party to seek its modification or amendment by further order of this Court.

ENTERED this 28<sup>th</sup> day of July, 2006.

  
UNITED STATES DISTRICT JUDGE

**APPROVED FOR ENTRY:**

By:

Cedric Holman

828 Chain of Rock Drive  
St. Louis, MO 63137

7/24/06

*John W. Conway*  
*Notary Public*

**PLAINTIFF**

-and-

**MILLER & MARTIN PLLC**

By: /s/ William G. Trumpeter

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